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NRC FORM 591M PART 1

U.S. NUCLEAR REGULATORY COMMISSION

(10-2011)
10 CFR 2.201

SAFETY INSPECTION REPORT AND COMPLIANCE INSPECTION

1. LICENSEE/LOCATION INSPECTED: Providence Hospital 1150 Varnum Street, N.E. Washington, DC 20017 REPORT NUMBER(S) 2011-001		2. NRC/REGIONAL OFFICE U.S. Nuclear Regulatory Commission Region I, 475 Allendale Road King of Prussia, Pennsylvania 19406-1415	
3. DOCKET NUMBER(S) 030-01316	4. LICENSE NUMBER(S) 08-01728-01	5. DATE(S) OF INSPECTION 11/07/11, 01/26/12, 02/02/12 (phone)	

LICENSEE:

The inspection was an examination of the activities conducted under your license as they relate to radiation safety and to compliance with the Nuclear Regulatory Commission (NRC) rules and regulations and the conditions of your license. The inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector. The inspection findings are as follows:

- ☐ 1. Based on the inspection findings, no violations were identified.
- ☒ 2. Previous violation(s) closed.
- ☐ 3. The violation(s), specifically described to you by the inspector as non-cited violations, are not being cited because they were self-identified, non-repetitive, and corrective action was or is being taken, and the remaining criteria in the NRC Enforcement Policy, to exercise discretion, were satisfied.

Non-cited violation(s) were discussed involving the following requirement(s) and corrective action(s):

- ☒ 4. During this inspection, certain of your activities, as described below and/or attached, were in violation of NRC requirements and are being cited in accordance with the NRC Enforcement Policy. This form is a NOTICE OF VIOLATION, which may be subject to posting in accordance with 10 CFR 19.11: (Violations and Corrective Actions)
- a. 10 CFR 35.75(c) requires that a licensee shall maintain a record of the basis for authorizing the release of an individual in accordance with 10 CFR 35.2075(a).
- Contrary to the above, Providence Hospital failed to maintain a record of the basis for authorizing the release of iodine-131 therapy patients. Specifically, from August 2008 to November 2011, the licensee did not maintain a record of the basis for authorizing the release of patients who had been administered up to 159 mCi of iodine-131. The licensee committed to perform calculations for patients that were released in that time frame and include these records in the patient files.
- b. 10 CFR 71.5(a) requires in part that a licensee who delivers licensed material to a carrier for transport shall comply with the applicable requirements of the Department of Transportation (DOT) regulations in 49 CFR. 49 CFR 172.702 requires in part that a Hazmat Employer shall ensure that each of its Hazmat Employees is trained and tested in accordance with Subpart H of 49 CFR Part 172. Also, 49 CFR 172.704(c) requires in part that a Hazmat employee must receive training at least once every three years, and that a new Hazmat employee or an employee that changes job functions may perform those functions prior to completion of training provided the employee performs those functions under direct supervision and the training is completed within 90 days after employment or change in job function.
- Contrary to the above, Providence Hospital did not provide the required training to all of their Hazmat Employees as required by Subpart H to 49 CFR Part 172. Specifically, as of October 28, 2008, following the previous inspection in August 6, 2008, one of two Hazmat employees completed training and was tested in accordance with DOT regulations. The other however was not trained until over a year later, December 8, 2009. The licensee stated all of their Hazmat employees are currently trained and that they would receive recurrent DOT training at least once every three years.

Statement of Corrective Actions

I hereby state that, within 30 days, the actions described by me to the inspector will be taken to correct the violations identified. This statement of corrective actions is made in accordance with the requirements of 10 CFR 2.201 (corrective steps already taken, corrective steps which will be taken, date when full compliance will be achieved). I understand that no further written response to NRC will be required, unless specifically requested.

Title	Printed Name	Signature	Date
LICENSEE'S REPRESENTATIVE	Kevin Nimerick		2/2/12
NRC INSPECTOR	Maryann Abogunde		2/2/12
BRANCH CHIEF	Joseph Nick		2/2/12

*NRC FORM 591M PART 1 (10-2011) (R) Rev. 01/12/2012)

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SUNSI Review Completed By: /RA/ MAbogunde

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